

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

REGGIE L. CAMERON,	)	CASE NO. 1:07 CV 3674
	)	
Petitioner,	)	JUDGE KATHLEEN M. O'MALLEY
	)	
v.	)	
	)	
CUYAHOGA COUNTY COURT OF COMMON	)	<u>MEMORANDUM OF OPINION</u>
PLEAS,	)	<u>AND ORDER</u>
	)	
Respondent.	)	

On November 29, 2007, petitioner pro se Reggie L. Cameron filed the above-captioned petition for writ of habeas corpus. Cameron is confined at the Cuyahoga County Jail, awaiting trial on charges not specified in the petition. A letter from attorney Richard Agopian, attached to the petition, indicates that the Court Psychiatric Clinic determined Cameron was not legally competent to stand trial. For the reasons stated below, the petition is denied and this action is dismissed.

A federal court may entertain a habeas petition filed by a person in state custody only on the ground that he is in custody in violation of the Constitution, laws, or treaties of the United States. 28 U.S.C. § 2254(a). In addition, petitioner must have exhausted all available state remedies. 28 U.S.C. § 2254(b).

As grounds for the petition, Cameron states he has been held for three months and has not seen a judge or counsel, that he has been unable to assert an affirmative defense, and that his bail is excessive. He also appears to assert that his prosecution is barred by the equitable doctrine of laches. Without regard to the potential merits of these assertions, it is evident on the face of the petition that Cameron has yet to raise and exhaust the issues in the Ohio courts. The petition is thus premature.

Accordingly, this action is dismissed without prejudice pursuant to Rule 4 of the Rules Governing Section 2254 Cases. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. Fed.R.App.P. 22(b); 28 U.S.C. § 2253.

IT IS SO ORDERED.

s/ Kathleen M. O'Malley  
KATHLEEN M. O'MALLEY  
UNITED STATES DISTRICT JUDGE

DATED: February 14, 2008